SINGLE BENCH

CF 6002 (9)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.6763/2006.

PETITIONERS :

1. Shri Satyajit Singh , S/o Shri A. S. Chandel R/o Akash Nagar Raipur (C.G.)
2. Shri Girish Singh Chouhan S/o.Maheshwar Singh Chouhan R/o 145 Anand Nagar Raipur (C.G.)
3. Shri Arvind Sewak S/o. Late Shri S. R. Sewak R/o. Near Water Tank, Samta Colony, Raipur (C.G.)
4. Shri D. P. Ram S/o. Shri Kewa Ram R/o. R-9, Dindayal Upadhyaye Nagar, Raipur (C.G.)
5. Shri D. Nagendra kumar S/o. Shri D. G. Devra R/o. L-1 Agrasen Nagar, Raipur (C.G.)
6. Gurmukh Singh S/o. Shri Guru Charan Singh R/o. Telebandha, Raipur (C.G.)

P.R. No. 6873/06 Presented by Shri Vanamali Misra dated 29/11/06

OATH COMMISSIONER (S.R. Kaushik) BILASPUR TAHSIL

V/s.

RESPONDENT:

STATE BANK OF INDORE, MOTIBAGH BRANCH, RAIPUR, (C.G.)

WRIT PETITION UNDER ARTCLE 226 OF CONSTITUTION OF INDIA

XI-HC-22

(48)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... WP 6763/06 ..... **सन्** / **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	06.12.2006 Shri Abhijeet C Thakur, counsel for the petitioners. None for the respondent. Heard. Secured creditor in accordance with Section 13 (4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (henceforth " the Act"), on failing to discharge liability by the borrower had proceeded to recover his secured debt and accordingly took possession of the secured assets and put those assets for sale by public auction. Section 17 of the Act provides appeal against the measures referred to in sub-section (4) of Section 13 taken by the secured creditor. Therefore, all the petitioners have right to appeal instead asking this Court to step in under Article 226 of the Constitution of India. In view of the above, the petition is liable to be dismissed and is accordingly dismissed. In the light of above order, M.(W.)P.No.4889/2006 & IA No.11410/2006 stand disposed of. Sd/- V.K.Shrivastava Judge	

padma

1-12-06

(पीछे देखिये)